IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.7112 OF 2007

Jyoti Mukesh Navani .. Petitioner

Versus

Mukesh Navani .. Respondent

Ms.Veena Gawda for petitioner

Mr.S.P.Kanuga i/b. Mrs.Sapna Nath for respondent

CORAM : S.C.DHARMADHIKARI, J.

DATE : 17th December 2007

P.C.

. This is an interlocutory order whereby maintenance has been granted by the petitioner wife from respondent - husband for herself and the major son. The grievance is that an amount

of Rs.3,000/- is granted to wife - petitioner before me whereas no maintenance is granted insofar as son is concerned.

2. Without prejudice to the rights and contentions of the parties, in the pending proceedings, Mr.Kanuga states that if the son Dipesh files in the trial court proof of he being enrolled and studying in a course which is referred to in the impugned order, the educational expenses would be borne by the respondent husband. Mr.Kanuga states that the actual expenses would be either directly paid to the institution or reimbursed after proof of payment is produced.

3. Insofar as wife is concerned, in my view, a sum of Rs.3000/- is granted which is to be paid from the date of the application. Mr.Kanuga states that this amount is paid. Wife makes a grievance that Rs.3,000/- per month which is

directed to be paid has not been paid for the last two months. The husband through Mr.Kanuga undertakes to pay the same within ten days from today. Further, he undertakes to pay the sum of Rs.3,000/- per month until the same is modified by the trial court.

4. In such circumstances, granting liberty to the petitioner wife to place before the trial court such material even at this stage and claim enhancement in the sum awarded, present petition is disposed of.

(S.C.Dharmadhikari, J)